

Civil Procedure

Form 23

**MOTION TO INTERVENE AS A DEFENDANT
UNDER RULE 24**

**IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
STATE OF HAWAII**

A. B., Plaintiff)	Civil No. _____
)	
v.)	
)	MOTION TO INTERVENE
C. D., Defendant and)	AS A DEFENDANT
Third-Party Plaintiff)	
E. F., Third-Party Defendant.)	
_____)	

MOTION TO INTERVENE AS A DEFENDANT

E. F. moves for leave to intervene as a defendant in this action, in order to assert the defenses set forth in his proposed answer, a copy of which is hereto attached and marked Exhibit A, on the ground that he has a prior lien on the property referred to in the complaint and as such has a defense to plaintiff's claim presenting both questions of law and of fact which are common to the main action.

Dated: Honolulu, Hawai'i, _____.

Signed: _____

Attorney for E.F.

Applicant for Intervention

Address: _____

Notice of Motion

(Contents the same as in Form 19.)

Note

For other grounds of intervention, either of right or in the discretion of the court, see Rules 24(a) and (b). Under Rule 24(c), the motion to intervene must be served upon all parties as provided in Rule 5.

Exhibit A

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

A. B., Plaintiff)	Civil No. _____
)	
v.)	
)	INTERVENER'S ANSWER
C. D., Defendant)	
E. F., Intervener.)	
_____)	

INTERVENER'S ANSWER

FIRST DEFENSE

Intervener admits the allegation stated in paragraphs 1 and 4 of the complaint; denies the allegation in paragraphs 2 and 3.

SECOND DEFENSE

That intervener has a valid and existing first lien upon the property described in the complaint and that no disposition of such property should be made without first providing for the satisfaction of the intervener's lien.

Dated: Honolulu, Hawai'i, _____.

Signed: _____

Attorney for E. F. Intervener

Address _____